

**Town of Arlington**  
**2021 Annual Town Meeting — Amendment**

**ARTICLE NO. 43**

I, Jon Gersh, move to amend to the recommended vote of the Arlington Redevelopment Board under Article 43 to remove accessory dwelling units from accessory buildings by making the following changes:

In section 5.9.2.B (1), fifth bullet, striking out and adding the indicated text:

An accessory dwelling unit may be located in (i) the same building as the principal dwelling unit or as an expansion to such building; or (ii) a building that is attached to the principal dwelling unit; ~~or (iii) an accessory building, which accessory building shall not constitute a principal or main building by the incorporation of the accessory dwelling unit, provided that if such accessory building is located within 6 feet of a lot line then such accessory dwelling unit shall be allowed only if the Board of Appeals, acting pursuant to Section 3.3, grants a special permit upon its finding that the creation of such accessory dwelling unit is not substantially more detrimental to the neighborhood than the use of such accessory building as a private garage or other allowed use.~~

In section 5.9.2.C (3), striking out the indicated text:

This Section 5.9.2 shall be effective as of the date on which it is enacted at Town Meeting in accordance with applicable law, ~~except for clause (iii) of Section 5.9.2.B.(1), fifth bullet, which clause (iii) shall be effective as of the date occurring six (6) months after the date on which this Section 5.9.2 is enacted at Town Meeting.~~

In section 8.1.3.E, striking out and adding the indicated text:

The creation or addition of an accessory dwelling unit within an existing single-family dwelling, two-family dwelling, or duplex dwelling, ~~or within an existing accessory building on the same lot as any such dwelling, does not increase or affect the nonconforming nature of said existing dwelling or accessory building, and shall not cause such dwelling or accessory building to become non-conforming or result in any additional dimensional requirements with respect to such dwelling or accessory building, provided that such creation or addition of an accessory dwelling unit neither expands the footprint nor the height of said dwelling or accessory building, in each case except (i) for changes necessary to provide for required egress or other modification to meet the State Building Code and State Fire Code, and (ii) for any projects allowed under Section 5.3.9, and (iii) to the extent authorized by a special permit issued pursuant to clause (iii) of Section 5.9.2.B(1), fifth bullet.~~

Signed \_\_\_\_\_

Precinct 18

April 30, 2021

Date Voted: \_\_\_\_\_

Action Taken: \_\_\_\_\_